



217/782-6761

EPA Region 5 Records Ctr.



393308

Refer to: 119040006 -- Madison County  
Granite City/Reilly Tar and Chem.  
ILD006278360

PRE-ENFORCEMENT CONFERENCE LETTER

Certified # P731919 409

August 30, 1985

Mr. William Justin  
Reilly Tar and Chemical Corporation  
1510 Market Square Center  
151 North Delaware Street, Suite 150  
Indianapolis, Indiana 46204

Dear Mr. Justin:

The Agency has previously informed Reilly Tar and Chemical Corporation of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations are set forth in Attachment A of this letter.

In addition, the Agency hereby informs Reilly Tar and Chemical Corporation of apparent violations of the Illinois Environmental Protection Act and/or rules and regulations adopted thereunder. These apparent violations, set forth in Attachment B, are a result of an inspection conducted on June 22, 1985. For your information a copy of the inspection is enclosed.

As a result of these apparent violations, it is our intent to refer this matter to the Agency's legal staff for the preparation of a formal enforcement case. The Agency's legal staff will, in turn, refer this matter to the Office of Attorney General or to the United States Environmental Protection Agency for the filing of a formal complaint.

Prior to taking such action, however, you are requested to attend a Pre-Enforcement Conference to be held at the Division of Land Pollution Control, 2200 Churchill Road, Springfield, Illinois 62706. The purpose of this Conference will be:

1. To discuss the validity of the apparent violations noted by Agency staff, and
2. To arrive at a program to eliminate existing and/or future violations.



Page 2

You should, therefore, bring such personnel and records to the conference as will enable a complete discussion of the above items. We have scheduled the Conference for September 18, 1985, at 10:30 a.m. If this arrangement is inconvenient, please contact Bur Filson at 217/782-6761 to arrange for an alternative date and time.

In addition, please be advised that this letter constitutes the notice required by Section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the Illinois Environmental Protection Act requires the Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty days of this notice date in an effort to resolve such conflict which could lead to the filing of formal action.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael F. Nechvatal".

Michael F. Nechvatal, Manager  
Compliance Monitoring Section  
Division of Land Pollution Control

MFN:BF:ba/2066e/10-11

Attachment

cc: Division File  
Southern Region  
Gary King  
Bruce Carlson  
Andy Vollmer  
Mike Grant  
Bur Filson ✓



**Attachment A**

Pursuant to 35 Ill. Adm. Code 725.242(b), the owner or operator must adjust the closure cost estimate for inflation within 30 days after each anniversary of the date on which the first closure cost estimate was prepared. You are in apparent violation of 35 Ill. Adm. Code 725.242(b) for the following reason(s): You failed to update your closure cost estimate for the year ending December 31, 1984.

Pursuant to 40 CFR 265.143 (as incorporated by reference in 35 Ill. Adm. Code 725.243), an owner or operator of each facility must establish financial assurance for closure of the facility. You have failed to provide adequate documentation demonstrating compliance with this section. You are in apparent violation of 35 Ill. Adm. Code 725.243 for the following reason(s): You failed to update your financial assurance for the year ending December 31, 1984.

MFN:BF:ba/2066e/12



Attachment B

35 Ill. Adm. Code 722.140(b) requires the generator to keep a copy of each Annual Report and any Exception Report(s) for a period of at least three years from the due date. You are in apparent violation of this Section in that a copy of the Annual Report for Calendar year 1984 was not made available for review during the inspection.

Pursuant to 35 Ill. Adm. Code 725.116(c), facility personnel must take part in an annual review of the initial training required in paragraph (a) of this Section. You are in apparent violation of this Section in that facility personnel have not received an annual review of the initial training.

Pursuant to 35 Ill. Adm. Code 725.135, the owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment to any area of facility operation in an emergency. You are in apparent violation of this Section because adequate aisle space was not maintained on the date of the inspection.

Pursuant to 35 Ill. Adm. Code 725.326, the owner or operator must inspect:

- a) The freeboard level at least once each operating day to ensure compliance with Section 725.322; and
- b) The surface impoundment, including dikes and vegetation surrounding the dike, at least once a week to detect any leaks, deterioration or failures in the impoundment.

You are in apparent violation of 35 Ill. Adm. Code 725.326 for the following reason(s): Daily inspections of the freeboard level were not being conducted.

MFN:BF:ba/2066e/13